

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING

OF  
MONDAY, MAY 2, 1983  
AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Cleator at 2:11 p.m. Deputy Mayor Cleator adjourned the meeting at 3:03 p.m. into Closed Session in the twelfth floor conference room regarding pending litigation and meet and confer matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor-vacant.
  - (1) Council Member Mitchell-present.
  - (2) Council Member Cleator-present.
  - (3) Council Member McColl-present.
  - (4) Council Member Jones-present.
  - (5) Council Member Struiksma-present.
  - (6) Council Member Gotch-present.
  - (7) Council Member Murphy-present.
  - (8) Council Member Martinez-present.
- Clerk-Abdelnour (mp)

FILE LOCATION:

MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:  
Mayor-vacant.  
Council Member Mitchell-present.  
Council Member Cleator-present.  
Council Member McColl-present.  
Council Member Jones- present.  
Council Member Struiksma-not present.  
Council Member Gotch- present.  
Council Member Murphy-present.  
Council Member Martinez- present.

ITEM-10: INVOCATION

Invocation was given by Rabbi Martin S. Lawson of Temple  
Emanu-el, Del Cerro.

FILE LOCATION:

## MINUTES

### ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Mitchell.

FILE LOCATION:

MINUTES

### ITEM-30: (R-83-1460) ADOPTED AS RESOLUTION R-258363

Proclaiming May 8 through May 14, 1983 as "Child Abuse Awareness Week."

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A037-085).

MOTION BY MURPHY TO ADOPT. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

### ITEM-31: INVITATION ACCEPTED

Matter of San Diego Community College invitation to "Dialogue of the Americas for Economic Culture '83."

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A086-118).

MOTION BY MARTINEZ TO ACCEPT THE INVITATION. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

### ITEM-32: APPROVED MINUTES

Approval of Council Minutes for the meeting of 04/04/83 P.M.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A119-123).

MOTION BY GOTCH TO APPROVE. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

### \* ITEM-50: (O-83-161) ADOPTED AS ORDINANCE O-15958 (New Series)

Amending Chapter 2, Article 3 of the San Diego Municipal Code by amending Section 23.0505 (Rule IV, Section 5 of the

Rules of the Civil Service Commission) relating to  
reinstatement requests.

(Introduced on 4/19/83. Council voted 7-0. District 5 not  
present. Mayor - vacant.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A124-131).

CONSENT MOTION BY GOTCH TO DISPENSE WITH THE READING AND  
ADOPT.

Second by Jones. Passed by the following vote: Mitchell-yea,  
Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea,  
Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-51: (O-83-155) ADOPTED AS ORDINANCE O-15959 (New Series)

Amending Chapter II, Article 4 of the San Diego Municipal  
Code by amending Sections 24.0103, 24.0105, 24.0206, 24.0308,  
24.0402, 24.0403, 24.0501, 24.1000, 24.1003 and 24.1113, and  
adding new Sections 24.0206.5, 24.0308.5, 24.0313 and 24.1009  
relating to clarification of administrative procedures and  
definitions with respect to the City Employees Retirement Plan.

(Introduced on 4/18/83. Council voted 7-0. District-5 not  
present. Mayor - vacant.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A124-131).

CONSENT MOTION BY GOTCH TO DISPENSE WITH THE READING AND  
ADOPT.

Second by Jones. Passed by the following vote: Mitchell-yea,  
Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea,  
Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-52: (O-83-209) ADOPTED AS ORDINANCE O-15960 (New Series)

Amending Chapter X, Article 1, Division 2, of the San Diego  
Municipal Code by amending Section 101.0204 relating to  
fees/deposits for Planning Department permits.

(Introduced on April 18, 1983. Council voted 7-0.

District-5 not present. Mayor - vacant.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A124-131).

CONSENT MOTION BY GOTCH TO DISPENSE WITH THE READING AND  
ADOPT.

Second by Jones. Passed by the following vote: Mitchell-yea,

Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea,  
Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-53: (O-83-96 Rev.) ADOPTED AS ORDINANCE O-15961 (New Series)

Incorporating portions of Pueblo Lots 1316, 1317, 1318, 1321  
and 1351, Miscellaneous Map-36 (approximately 233 acres),  
located west and adjacent to I- 805, south of the AT&SF  
Railroad right-of-way and generally north of Eastgate Mall, in  
the University Community Plan area, into M-LI and SR Zones.  
(Case-5-81-106. University Community Plan Area.

District-1. Introduced on 4/19/83. Council voted 7-1. District 8  
voted nay. Mayor - vacant.)

FILE LOCATION:

ZONE 5/02/83

COUNCIL ACTION: (Tape location: A124-131).

CONSENT MOTION BY GOTCH TO DISPENSE WITH THE READING AND  
ADOPT.

Second by Jones. Passed by the following vote: Mitchell-yea,  
Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea,  
Murphy-yea, Martinez-nay, Mayor-vacant.

\* ITEM-54: (O-83-206) ADOPTED AS ORDINANCE O-15962 (New Series)

Adoption of an Ordinance creating a cost recovery district  
within the Alta Vista Water and Sewer Assessment District,  
Assessment District No. 3960. (Municipal Improvement Act of  
1913).

(Southeast San Diego Community Area. District-4.

Introduced on 4/19/83. Council voted 8-0. Mayor - vacant.)

FILE LOCATION:

STRT D-2189

COUNCIL ACTION: (Tape location: A124-131).

CONSENT MOTION BY GOTCH TO DISPENSE WITH THE READING AND  
ADOPT.

Second by Jones. Passed by the following vote: Mitchell-yea,  
Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea,  
Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-55: (O-83-167) INTRODUCED, TO BE ADOPTED MAY 16, 1983

Ordinance amending Chapter III, Article 3, Division 1 of the  
San Diego Municipal Code by amending Section 33.0104, relating  
to cost of investigation and fees of police regulated  
businesses.

(Introduced on 5/2/83. Council voted 8-0. Mayor - vacant.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A161-168).

CONSENT MOTION BY GOTCH TO INTRODUCE THE ORDINANCE. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones- yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-56: (O-83-210) INTRODUCED, TO BE ADOPTED MAY 16, 1983

Ordinance amending Section 1 of Ordinance O-15433 (New Series) adopted February 25, 1981, incorporating a portion of Section 27, Township 14 South, Range 2 West, S.B.B.M. into R-1-6 Zone; extension of time to February 25, 1986.

(See Planning Department Report PRD-83-114.

Case-82-0240/EOT1. Scripps- Miramar Ranch Community Area. District-5.)

(Introduced on 5/2/83. Council voted 8-0. Mayor - vacant.)

FILE LOCATION:

ZONE 5/02/83

COUNCIL ACTION: (Tape location: A161-168).

CONSENT MOTION BY GOTCH TO INTRODUCE THE ORDINANCE. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones- yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-100:

19830502

Four actions relative to awarding contracts:

Subitem-A: (R-83-1540) ADOPTED AS RESOLUTION R-258364

Phil L. Dostal Corp. for the purchase of bulk quicklime as may be required for a period of one year beginning July 1, 1983 through June 30, 1984, for an estimated cost of \$79,170, including freight with an option to renew the contract for an additional one year period, material and freight prices subject to a 10 percent increase. BID-4948

Subitem-B: (R-83-1545) ADOPTED AS RESOLUTION R-258365

Western Weed Abatement for furnishing weed and litter abatement as may be required for a period of one year beginning

May 1, 1983 through April 30, 1984, for an estimated cost of \$60,955, with an option to renew the contract for an additional one year period. BID-4963

Subitem-C: (R-83-1544) ADOPTED AS RESOLUTION R-258366

Perkin-Elmer Corporation for the purchase of one infrared spectrophotometer and accessories for an actual cost of \$19,437.22, including tax and terms. BID-4943

Subitem-D: (R-83-1380) ADOPTED AS RESOLUTION R-258367

McClellan Buick for the purchase of one full size sedan (1983 Buick Le Sabre Custom with 5.7 V8 diesel engine), for a total cost of \$11,613.07, including tax and terms BID-4968

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A169-262).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-101: (R-83-1546) ADOPTED AS RESOLUTION R-258368

Inviting bids for the construction of 24th Street drain, Commercial Street to Imperial Avenue, on Work Order No. 118083; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the City Auditor and Comptroller to transfer within Capital Outlay Fund 30245, \$52,000 from CIP-58-004, Miscellaneous Improvements on City Streets, to CIP-11-168, 24th Street Drain; authorizing the expenditure of not to exceed \$111,000 from Capital Outlay Fund 30245, CIP-11-168, 24th Street Drain, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. BID-5051 (Estimated construction cost \$78,000. Southeast San Diego Community Area. District-4.)

CITY MANAGER REPORT:

This project provides for the construction of a storm drain system in 24th Street between Imperial Avenue and Commercial Street. Modifications to the intersection of 24th Street at Imperial Avenue will remove the existing intersection underdrain systems and will install curb inlets and a new storm drain system. This project will eliminate the street flooding caused by the existing underdrain

systems.

FILE LOCATION:

W.O. 118083

COUNCIL ACTION: (Tape location: A169-262).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-102: (R-83-1623) ADOPTED AS RESOLUTION R-258369

Inviting bids for the construction of storm drains in College Avenue and Estelle Street, on Work Order No. 118082; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the City Auditor and Comptroller to transfer within Capital Outlay Fund 30245, \$7,000 from CIP-12-052, 62nd Street, \$1,000 from CIP-17-003, Seepage Problems, and \$1,000 from CIP-58-004, Miscellaneous Improvements on City Streets, to CIP-11-156, College

Avenue/

Estelle Street Drain; authorizing the expenditure of not to exceed \$85,000 from Capital Outlay Fund 30245, CIP-11-156, College Avenue/Estelle Street Drain, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. BID-5050 (Estimated construction cost \$54,800. Mid-City Community Area. District-3.)

CITY MANAGER REPORT:

18- This project provides for construction of about 650 feet of inch and 24-inch storm drain in Estelle Street east and west of College Avenue. It will collect storm water from Estelle Street easterly of College Avenue which now overflows College Avenue and floods private property on the west side. The project has been proposed for several years and the situation has been the subject of numerous resident complaints.

FILE LOCATION:

W.O. 118082

COUNCIL ACTION: (Tape location: A169-262).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-

yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea,  
Mayor-  
vacant.

\* ITEM-103:

19830502

Two actions relative to construction of El Capital Dam  
roadway pavement overlay:

Subitem-A: (R-83-1495) ADOPTED AS RESOLUTION R-258370

Inviting bids on Work Order No. 148165; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of not to exceed \$84,570 from Water Revenue Fund 41502 for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. BID-5021 (Estimated construction cost \$29,000.)

Subitem-B: (R-83-1532) ADOPTED AS RESOLUTION R-258371

Authorizing the use of City Forces to do all the work of blasting and subgrade preparation as required in connection with the above, pursuant to the recommendation of the City Manager and submission of estimates by him indicating that said work can be done by City Forces more economically than if let by contract; cost of said work shall not exceed \$41,820.

**CITY MANAGER REPORT:**

This project consists of widening 20 feet and resurfacing a .65 mile portion of the El Capitan Dam Road from the end of El Monte Road to the top of El Capitan Dam. El Capitan Dam Road is a non-dedicated road on Water Utilities Department property, and is used for access to the dam and the Lakes Recreation Station. The existing road is about 18 feet wide and is in a deteriorated condition. City Forces will prepare the roadway base and the repaving will be contracted.

FILE LOCATION: W.O. 148165

COUNCIL ACTION: (Tape location: A169-262).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.



\* ITEM-104: (R-83-1624) ADOPTED AS RESOLUTION R-258372

Inviting bids for the construction of College Avenue drain, Rockhurst Drive to 450 feet northerly, on Work Order No. 118167; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the City Auditor and Comptroller to transfer within Capital Outlay Fund 30245, \$8,100 from CIP-58-004, Miscellaneous Improvements on City Streets, to CIP-11-194, College Avenue Drain; authorizing the expenditure of not to exceed \$62,100 from Capital Outlay Fund 30245, CIP-11-194, College Avenue Drain, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. BID-5049 (Estimated construction cost \$39,700. Navajo Community Area. District-7.)

CITY MANAGER REPORT:

This project will construct a storm drain system in College Avenue from Rockhurst Drive to an existing inlet 450 feet northerly of Rockhurst Drive in the College Avenue center median. The project will install an 18-inch reinforced concrete pipe, curb inlet, cleanout, concrete curb and gutter, and asphalt concrete paving and resurfacing. This project will alleviate an existing drainage problem which has been a source of numerous citizen complaints and will improve conditions for vehicular and pedestrian traffic on College Avenue.

FILE LOCATION:

W.O. 118167

COUNCIL ACTION: (Tape location: A169-262).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-105:

19830502

Two actions relative to the final subdivision map of Chateau Townhomes, a one-lot subdivision located easterly of Genesee Avenue and Chateau Drive:  
(Clairemont Mesa Community Area. District-6.)

Subitem-A: (R-83-1652) ADOPTED AS RESOLUTION R-258373

Authorizing the execution of an agreement with Chateau Ventures for the installation and completion of improvements.

Subitem-B: (R-83-1651) ADOPTED AS RESOLUTION R-258374

Approving the final map.

FILE LOCATION: SUBD Chateau Townhomes

COUNCIL ACTION: (Tape location: A169-262).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-106: (R-83-1661) ADOPTED AS RESOLUTION R-258375

Authorizing the execution of a deed conveying to San Diego Gas and Electric Company, an easement for overhead electrical facilities affecting a portion of the North Half of Section 28 and the Southeast Quarter of the Northeast Quarter of Section 29, Township 12 South, Range 1 West, S.B.B.M.

(San Pasqual Community Area. District-1.)

CITY MANAGER REPORT:

San Diego Gas and Electric requires an easement from the City to furnish overhead electrical service to the California Condor Project at the Wild Animal Park. This project, federally funded in part, is an effort to breed these rare birds in captivity. The electrical extension will provide power to three portable buildings, which will house incubators, brooders, and television monitoring equipment, and power to outdoor pens. The electrical installation will be on the premises of the Wild Animal Park and will involve stringing power lines onto four existing telephone poles and installing two new poles and new anchors. SDG&E and the Wild Animal Park will perform and pay for the installation. The proposed easement, which contains about 27,793 square feet, has been approved by the Water Utilities Department. The Zoological Society of San Diego operates the Wild Animal Park on City property under an operating agreement granted by the City in 1969.

FILE LOCATION:

DEED F-1864

COUNCIL ACTION: (Tape location: A169-262).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-

yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea,  
Mayor-  
vacant.

\* ITEM-107: (R-83-1660) ADOPTED AS RESOLUTION R-258376

Approving the acceptance by the City Manager of that street easement deed of Dorothy Allen Greenlee, granting to City an easement for public street purposes in a portion of Lot 61 of San Ysidro, Map-1174; dedicating said land as and for a public street and naming the same Seaward Avenue.

(San Ysidro Community Area. District-8.)

CITY MANAGER REPORT:

Seaward Avenue from Cottonwood Road to Interstate 805 has been fully improved at no cost to adjoining property owners through expenditure of Block Grant Funds. Due to an oversight, 87 square feet of the southeast corner of Seaward Avenue and East Park Avenue were added to the paving project before acquisition of the right-of-

way. The corner was rounded in order to improve the turning radius for traffic. The owner of this property has now granted to the City, without cost, an easement deed for the right-of-way. It is therefore recommended that the deed be accepted and that the corner be dedicated and named Seaward Avenue.

FILE LOCATION:

DEED F-1865

COUNCIL ACTION: (Tape location: A169-262).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-  
vacant.

\* ITEM-108: (R-83-1612) ADOPTED AS RESOLUTION R-258377

Approving the acceptance by the City Manager of that street easement deed of Brehm Communities, granting to said City an easement for public street purposes in a portion of Lots 1 and 2 of Eagle Ridge Estates, Map-9817; dedicating said land as and for a public street, and naming the same Soaring Drive.

(Located easterly of Wing Span Drive and Eagle Ridge Drive. Navajo Community Area. District-7.)

FILE LOCATION:

DEED F-1866

COUNCIL ACTION: (Tape location: A169-262).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-109: (R-83-1640) ADOPTED AS RESOLUTION R-258378

Approving the acceptance by the City Manager of that deed of the State of California Department of Transportation, conveying to City 1.242 acres of excess right-of-way in the San Pasqual Valley; authorizing the execution of a quitclaim deed, quitclaiming to the State of California Department of Transportation, all of the City's right, title and interest in a portion of the southeast corner of fractional Section 30, Township 12 South, Range 1 West, S.B.B.M., together with certain temporary construction easements; authorizing the execution of a right-of-way contract with the State of California, providing for the exchange of properties, the payment of \$17,100, and the construction of approximately 3,400 linear feet of fencing without cost to the City.

(San Pasqual Community Area. District-1.)

**CITY MANAGER REPORT:**

The City of San Diego owns 3.218 acres in San Pasqual Valley adjacent to State Route 78. This parcel is needed by CalTrans for the construction of improvements to State Route 78. In addition to the fee area, temporary construction easements totaling 3.495 acres are also required. The City of San Diego is to receive \$17,100 and will be deeded 1.242 acres of excess right-of-way valued at \$8,400 upon completion of the project.

The State of California has filed an action in eminent domain to obtain immediate possession of the property. The City will not be involved in further litigation if this settlement is approved.

**FILE LOCATION:**

DEED F-1867

COUNCIL ACTION: (Tape location: A169-262).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-110: (R-83-1617) ADOPTED AS RESOLUTION R-258379

Authorizing the execution of a quitclaim deed, quitclaiming to Van Dersteen Enterprises, all of the City's right, title and interest in a drainage easement.

(Located westerly of Mission Gorge Road and Zion Avenue. Navajo Community Area. District-7.)

FILE LOCATION:

DEED F-1868

COUNCIL ACTION: (Tape location: A169-262).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-111: (R-83-1658) ADOPTED AS RESOLUTION R-258380

Authorizing the City Auditor and Comptroller to add  
CIP-

27-009.2, Children's Pool Seawall Handrail and Miscellaneous Improvements, to the Fiscal Year 1983 Capital Improvements Program; authorizing the City Auditor and Comptroller to transfer funds in the amount of \$120,000 from the Capital Outlay Fund Reserve CIP-90-245, to CIP-27-009.2, Children's Pool Seawall Handrail and Miscellaneous Related Improvements, within the Capital Outlay Fund 30245.

(La Jolla Community Area. District-1.)

CITY MANAGER REPORT:

This project is located at the Children's Pool Beach adjacent to Coast Boulevard in the community area of La Jolla. The combined action of high tides and surf occurring coincidentally with storms during December, January, and February 1982/83 has destroyed the handrail on the La Jolla Children's Pool Seawall. The absence of a handrail may constitute a hazard to the public, and it is impractical to effectively restrict public access to the seawall.

If the project is added to the current CIP and funded as proposed, design can begin immediately following authorization, and construction scheduled and completed in time to provide protection during the next fall and winter storm season when the rail is most needed. The proposed project will provide for replacement of the railing and related minor improvements including replacement of steps, other railings at the adjacent lifeguard facility and coating of concrete structures to prevent further deterioration and increase

the useful life of existing improvements related to protection of the public and access to the beach.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A169-262).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-112: (R-83-1522) ADOPTED AS RESOLUTION R-258381

Establishing a parking time limit of two hours between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on the south side of Adams Avenue between Alabama Street and Mississippi Street; authorizing the installation of the necessary signs and markings and declaring that such signs shall become effective upon installation.

(Mid-City Community Area. District-3.)

CITY MANAGER REPORT:

The proposed zone was requested by 100 percent of the property frontage. A recent parking survey determined the average occupancy and the average stay per car to be 75 percent and 3.64 hours, respectively, on the south side of Adams Avenue between Alabama Street and Mississippi Street. Council policy requires an average stay per car to be a minimum of one hour longer than the requested time limit zone and an average occupancy of 75 percent minimum. This location meets the minimum requirements as outlined above.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A169-262).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-113: (R-83-1524) ADOPTED AS RESOLUTION R-258382

Establishing a parking time limit of two hours between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on the west side of 71st Street from El Cajon

Boulevard to the alley north of El Cajon Boulevard; authorizing the installation of the necessary signs and markings and declaring that such signs shall become effective upon installation.

(Navajo Community Plan. District-7.)

**CITY MANAGER REPORT:**

The proposed zone was requested by 100 percent of the property frontage. Recent parking surveys determined the average occupancy and the average stay per car to be 74 percent and 4.3 hours, respectively, on the west side of 71st Street from El Cajon Boulevard to the alley north of El Cajon Boulevard. Council policy requires a minimum average occupancy of 75 percent and an average stay of at least one hour longer than the requested time limit zone. Even though this area does not meet the minimum required for average occupancy, we believe that the intent of the policy is met and recommend the establishment of the request time limit zone.

**FILE LOCATION:**

MEET

**COUNCIL ACTION:** (Tape location: A169-262).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

**\* ITEM-114: (R-83-1593) ADOPTED AS RESOLUTION R-258383**

Authorizing the Retirement Officer of the Board of Administration of the San Diego City Employees' Retirement System to execute an agreement with California First Bank, to provide custodial services to the Retirement System for a period of one year commencing July 1, 1983 and terminating June 30, 1984, and shall be automatically renewed for two successive one-year periods ending June 30, 1986, and to authorize in connection therewith the utilization of the Depository Trust Company.

**FILE LOCATION:**

MEET

**COUNCIL ACTION:** (Tape location: A169-262).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-

vacant.

\* ITEM-115: (R-83-1615) ADOPTED AS RESOLUTION R-258384

Authorizing the execution of an agreement with James M. Montgomery, Consulting Engineers, Inc., for engineering services for preparation of a predesign engineering study of facilities required to expand the Metropolitan Sewerage System Pump Station No. 2; authorizing the expenditure of the sum of \$82,950 from Sewer Revenue Fund (41506) for the above purpose.

(See City Manager Report CMR-83-147. Peninsula Community Area. District-2.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A169-262).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-116: (R-83-1603) ADOPTED AS RESOLUTION R-258385

Authorizing the execution of a one year use and occupancy permit, beginning May 16, 1983, with Associated Sports Promotions Company, which permit gives Associated Sports Promotions the opportunity to conduct tours of San Diego Jack Murphy Stadium and under which permit the City shall receive twelve percent of all gross revenue against a minimum annual consideration of \$1,000, whichever is greater.

(See City Manager Report CMR-83-148.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A169-262).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-117: (R-83-1595) ADOPTED AS RESOLUTION R-258386

Authorizing the transportation of City employees and School



Safety Patrol members under the following conditions: The City is obligated to share equally with the San Diego Unified School District liability in excess of School District's insurance policy limits of \$15 million arising out of the negligent acts of City employees or Safety Patrol students while the foregoing are being transported on School District buses to and from summer camp at the Palomar Mountain School Camp during the period June 20, 1983 through July 8, 1983.

(See City Manager Report CMR-83-137.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A169-262).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-200: (R-83-1542) ADOPTED AS RESOLUTION R-258387

Inviting bids for Sewer Main Replacement Group 58, on Work Order No. 147127; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of not to exceed \$661,000 from Sewer Revenue Fund 41506 for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. BID-5034

(Estimated construction cost \$535,000. Pacific Beach Community Area. District-6.)

CITY MANAGER REPORT:

This project consists of the installation of approximately 60 feet of 6-inch sewer mains, 7,154 feet of 8-inch sewer mains, and 1,454 feet of 12-inch sewer mains in the Pacific Beach area. The purpose of this project is to replace old deteriorated sewers located in City streets and alleys and reduce maintenance problems.

FILE LOCATION:

W.O. 147127

COUNCIL ACTION: (Tape location: A265-271).

MOTION BY GOTCH TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-201: (R-83-1610) ADOPTED AS RESOLUTION R-258388

Vacating a portion of Commercial Street adjacent to Lots 14-26 and the alley adjacent to Lots 9-19, both of Block 134 of Central Park, Map-435, under the procedure for the summary vacation of streets where the portion of street to be vacated consists of a portion of a street or highway that lies within property under one ownership and that does not continue through such ownership or end touching property of another; reserving and excepting from the foregoing vacation the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using and operating public utilities of any kind or nature pursuant to said resolution; easements reserved herein are in, under, over, upon, along and across that portion of Commercial Street adjacent to Lot 14-26, Block 134, of Central Park, Map-435; declaring that this resolution shall not become effective unless and until an engineering permit to construct public improvements within the right-of-way has been issued; declaring that in the event that the engineering permit is not issued by October 3, 1984, this resolution shall become void and of no further force or effect; directing the City Engineer to advise the City Clerk of the approval of the aforementioned subdivision map.

(Southeast San Diego Community Area. District-4.)

**CITY MANAGER REPORT:**

The subject rights-of-way were dedicated by subdivision in 1887. The property owner abutting the proposed vacation has petitioned for the closures to better utilize his property. Commercial street is classified as an industrial street. The 100 inch-wide right-of-way is unimproved and is terminated on the east by private property and a steep slope which precludes its extension to the east. The ultimate right-of-way width has been established as 64 feet, with 44 feet of pavement to be centered within the right-of-way. The improvements being provided as a condition of the closing will be centered within the existing 100-foot right-of-way and will produce a 28-foot curb-to-property-line distance. The proposed vacation will reduce the curb-to-property-line distance to the standard 10 feet. The street vacation is conditioned upon the petitioner obtaining and bonding for an engineering permit to construct these improvements.

The Commercial street closure contains water and electrical facilities. Water and general utility easements have been reserved to service and maintain these facilities. The alley closure is also unimproved and is truncated on the east by private property and on the west by the S.D.&A.E. Railroad right-of-way, which effectively precludes vehicular traffic. Staff has concluded that these rights-of-way are no longer needed for present or prospective public use

and can be summarily vacated, conditioned upon the issuance of the engineering permit and the easement reservations cited above. MTDB and SEDC concur with this conclusion. This action was processed in accordance with Council Policy 600-15.

**FILE LOCATION:**

STRT J-2472 and DEED F-1869

**COUNCIL ACTION:** (Tape location: A273-314).

**MOTION BY JONES TO ADOPT.** Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

**ITEM-202: (R-83-1608) ADOPTED AS AMENDED AS RESOLUTION R-258389**

Vacating portions of Juniper and Gregory Streets adjacent to Lots 1 and 8- 12, Block 46, of Eastern Addition, Map-295, under the procedure for the summary vacation of streets where an excess right-of-way of a street or highway is not required for street or highway purposes; declaring that this resolution shall not become effective unless and until the final map for the Sleepy Hollow Subdivision (TM-82-0737) has been approved by Council action; declaring that in the event the final map is not approved by December 29, 1984, this resolution shall become void and be of no further force or effect; directing the City Engineer to advise the City Clerk of the approval of the aforementioned subdivision map.

(A subdivision map is required. Park Northeast Community Area. District- 8.)

**CITY MANAGER REPORT:**

Juniper and Gregory Streets were dedicated by subdivision prior to 1914. The abutting property owner has petitioned for the vacation to resubdivide and develop his property as the Sleepy Hollow Subdivision, a Planned Residential Development (PRD-82-0737). The Juniper and Gregory Street rights-of-way to be vacated are unimproved. However, the Gregory Street closing contains a sewer main. The subdivision will relocate the sewer main and grant an easement to service and maintain it at the new location. Juniper Street, classified as a two-lane collector street, will be realigned and widened to collector street design standards adjacent to the subdivision boundary. Gregory Street, classified as a local residential street, will be improved one-half width adjacent to the subdivision boundary. The improvements will be centered within the existing 80-foot right-of-way and produce a 20-foot curb-to-property-line distance. This action will reduce the curb-to-property line distance to the standard 10-foot distance on both Juniper and Gregory Street. The street improvements will be bonded

for and constructed with the subdivision.

The proposed subdivision lies entirely within the Mid-City Canyon open space system, currently ranked in Category "B", Priority 10, on the list of areas to be considered for acquisition. However, the Park and Recreation Department's Open Space Division does not object to the closing because funds have not been reserved for purchase of property in this area. Staff has concluded that the rights-of-way to be vacated are no longer needed for present or prospective public use and can be summarily vacated, conditioned upon the Sleepy Hollow Subdivision (TM-82-0737) being approved and recorded. This action was processed in accordance with Council Policy 600-15.

**FILE LOCATION:**

STRT J-2474 and DEED F-1870

**COUNCIL ACTION:** (Tape location: A315-365).

**MOTION BY MARTINEZ TO ADOPT WITH THE CONDITION THAT THE IMPROVEMENTS PROPOSED BY THE SUBDIVISION PROVIDE A DIRT RAMP OFF THE**

**NORTHERLY END OF THE IMPROVEMENT DOWN TO THE EXISTING TRAIL. THIS**

**DIRT RAMP WILL BE A CONDITION OF THE CLOSING. Second by McColl.**

Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

**ITEM-203: (R-83-1607) ADOPTED AS RESOLUTION R-258390**

Vacating "L" Street adjacent to Lot 6, Block 72, and Lot 1, Block 71, all of San Diego Homestead Union, Map-363, under the procedure for the summary vacation of streets and public service easements where a portion for a street or highway lies within property under one ownership and does not continue through such ownership or end touching property of another.

(Southeast San Diego Community Area. District-4.)

**CITY MANAGER REPORT:**

"L" Street was dedicated by subdivision in 1887. The abutting property owners have applied for the vacation to facilitate development of their properties. This vacation was considered by the Council at its meeting of February 22, 1982, and by a vote of 8-0, was returned to the City Manager pending clarification of the ultimate width and alignment of 36th Street as a collector street in the revised Southeast Community Plan. A further consideration was whether that portion of "L" Street to be vacated might at some time be necessary as a utility access road into the western portion of Mt. Hope Cemetery. Both issues have now been resolved, and the Southeast Economic Development Corporation has withdrawn its

objection to the proposed vacation. The petitioners have asked that the item be brought forth for reconsideration. The 80-foot-wide right-of-way to be vacated is bounded on the west by 36th Street and on the east by Mt. Hope Cemetery. The proposed closure is unimproved and contains no public facilities. Curb and sidewalk were constructed across the vacation on 36th Street in 1973. Because of these improvements and the Cemetery's determination that an entrance will not be required at this location, use of the right-of-way for traffic circulation is precluded. Staff has concluded that the right-of-way is no longer needed for present or prospective public use and can be summarily vacated. This application was processed in accordance with the provisions of Council Policy 600-15.

**FILE LOCATION:**

STRT J-2409 and DEED F-1871

**COUNCIL ACTION:** (Tape location: A369-405).

**MOTION BY JONES TO ADOPT.** Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

**ITEM-204: (R-83-1639) ADOPTED AS RESOLUTION R-258391**

(TM- Vacating portions of Maya Linda Road and Gold Coast Drive in the Westerly one-half of the Southwest one-quarter of Section 32, Township 14 South, Range 2 West, San Bernardino Meridan, all within the proposed Mira Woods Villas Subdivision

82-0472) boundaries, under the procedure for the summary vacation of streets where an excess right-of-way of a street or highway is not required for street or highway purposes; declaring that this resolution shall not become effective unless and until the final map for the Mira Woods Villas Subdivision (TM-82-0472) has been approved by Council action; declaring that in the event the final map is not approved by November 1, 1987, this resolution shall become void and be of no further force or effect; directing the City Engineer to advise the City Clerk of the approval of the aforementioned subdivision map.

(A subdivision map is required. Mira Mesa Community Area. District-5.)

**CITY MANAGER REPORT:**

The subject rights-of-way to be vacated were acquired in 1973 at no cost to the City as an off-site requirement of the Quest Subdivision to the south. The abutting property owners have

petitioned for the vacation to facilitate development of their property. The rights-of-way to be vacated are unimproved and contain no public facilities. As a condition of the Mira Woods Villas Subdivision approval, Maya Linda Road will be realigned and improved to its ultimate width as a local street between Gold Coast Drive and the northerly subdivision boundary, where it will terminate in a cul-de-sac. The new alignment will provide access and local traffic circulation to the adjacent properties. The street improvements will be bonded for and constructed with the proposed Mira Woods Villas Subdivision.

Staff has concluded that the rights-of-way to be vacated are no longer needed for present or prospective public use and can be summarily vacated, conditioned upon the final map for the Mira Woods Villas Subdivision (TM-82-0472) being approved and recorded. This action was processed in accordance with the provisions of Council Policy 600-15.

**FILE LOCATION:**

STRT J-2473 and DEED F-1872

**COUNCIL ACTION:** (Tape location: A409-427).

**MOTION BY STRUIKSMA TO ADOPT.** Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

**ITEM-205: (R-83-1668) ADOPTED AS RESOLUTION R-258392**

Authorizing the execution of agreements with five community service organizations and three local educational agencies to provide special training, placement services and career training enrichment programs for 1,200 participants for a total cost of \$155,674, as part of the Regional Youth Employment Program (REGY) Summer Programs.

**CITY MANAGER REPORT:**

The City currently has a contract with the Regional Employment and training Consortium (RETC) to operate the Summer Youth Employment Program (SYEP) for 1983. Included as part of this contract are funds identified for the development of special training, placement, and enrichment programs with local educational agencies and community service organizations. Negotiations with the following agencies have been concluded and approval of the following subcontracts is requested to insure contract compliance.

Organization	Program Title	Amount
Center for Employment Training	CET Skill Development Program	\$20,000
S.D. County Probation Dept.	Summer Youth COPE Project	20,000
Neighborhood House Assn.	Neighborhood House-REGY Private	20,000

Sector Youth Employment Program		
Occupational Training Svcs.	Summer Youth Job Club	20,000
Project J.O.V.E.	Youth On-The-Job Training Program	20,000
Aseltine School	REGY/Aseltine Career Education Program	10,441
Poway Unified School Dist.	REGY/Poway Unified Career Education Program	5,000
S.D. Unified School Dist.	REGY/S.D. Unified Career Education Program	\$40,233
TOTAL		\$155,674

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A430-477;A565-B073).

Motion by Mitchell to request that the City Manager report back to Council on May 16, 1983, listing the various jobs of the Summer Youth Employment Program and suggesting to what extent jobs such as tree trimming and repairing pot holes could be implemented by the City. Second by Murphy. Passed. Yeas: 1,2,3,4,5,6,7,8. Nays: None. Not present: None. Vacant: Mayor.

MOTION BY STRUIKSMA TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-206: (R-83-1073) ADOPTED AS RESOLUTION R-258393

Authorizing application to the Mortgage Bond Allocation Committee for an allocation to permit the issuance of mortgage subsidy bonds.

(See Housing Commission Report HCR-83-010CC.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A478-563).

MOTION BY MARTINEZ TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-nay, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-nay, Martinez-yea, Mayor-vacant.

ITEM-207: CONTINUED TO MAY 9, 1983

19830502

(Continued from the meeting of May 2, 1983 at the City Manager's request.)

Two actions relative to the Hospital Equipment Financing Revenue Bond Program:

Subitem-A: (O-83-196)

Adoption of an Ordinance authorizing an agreement with various participating health care institutions and authorizing a trust agreement in connection with the issuance of City of San Diego Hospital Revenue Bonds (Equipment Financing Program) in a principal amount not to exceed \$30,000,000.

(6 votes required)

(Introduced on 4/18/83. Council voted 7-0. District 5 not present. Mayor -vacant.)

Subitem-B: (O-83-197)

Adoption of an Ordinance amending Chapter IV, Article 7 of the San Diego Municipal Code (the City of San Diego Health Facility Revenue Bond Law) by adding Section 47.0311 relating to pooled equipment financings.

(Introduced on 4/18/83. Council voted 7-0. District 5 not present. Mayor -vacant.)

(Hearing open, testimony taken on 5/02/83.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A132-160).

MOTION BY MURPHY TO CONTINUE FOR ONE WEEK AT THE CITY MANAGER'S

REQUEST FOR TIME TO REVIEW INFORMATION JUST RECEIVED WHICH INDICATED

THAT APPROVAL MIGHT NOT BE IN THE BEST INTEREST OF THE PUBLIC.

Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-S400: (R-83-1716) ADOPTED AS RESOLUTION R-258394

A Resolution adopted by the City Council in Closed Session on Tuesday, March 29, 1983, by the following vote:

Mitchell-

nay, Cleator-yea, District 3 -vacant, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor -vacant.

Authorizing the City Manager to pay the total sum of \$250,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injury to John L. Stiscak (Superior Court Case No. 450602, John L. Stiscak v. Patricia Lee Mozzochi, City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue a warrant check in the total amount of \$250,000 made payable to John L. Stiscak, by and through his conservator, James L.



Stiscak, and his attorney Salvador A. Liccardo, in full settlement of the lawsuit and all claims.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B070-082).

MOTION BY MARTINEZ TO ADOPT. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-S401: (R-83-1697) ADOPTED AS RESOLUTION R-258395

Urging the Port Commission to continue a nine percent rate of return on its fixed rate leases; directing the Chairman or Vice Chairman of the Transportation and Land Use Committee and the City Manager to present the City's position at the Port Commission's meeting when the matter is discussed.

(See Deputy City Manager memorandum dated April 20, 1983.)

COMMITTEE ACTION: Initiated by TLU on 4/25/83. Recommendation to adopt the Resolution. Districts 2, 3, 4, 5 and 8 voted yea.

COMMITTEE REPORT:

On April 25, 1983, the Transportation and Land Use Committee heard testimony from Port Commissioners Louis Wolfsheimer and William Rick, and Port Director Don Nay regarding Port leases. The Port District is currently considering a proposal to reduce the present nine percent rate of return on the land value for its flat-rate industrial leases to eight percent. Port flat-rate lease rentshare based on two considerations: (1) rate of return and (2) value of the land. Effective January 1, 1982, the Port increased the rate of return from eight percent to nine percent based on an extensive study of private sector ground leases which concluded that the current rate of return for industrial land leases in San Diego County was ten percent.

The City has recently entered into flat-rate leases for office and light industrial uses utilizing a ten percent return on

market

value of the property. The Committee concluded that the City's position should be to support continuation of the present nine percent rate of return by the Port and recommended that this position be conveyed to the Port Commissioners at their next meeting by the Chairman or Vice Chairman of the Committee and the City Manager.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A169-262)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by

the following vote: Mitchell-yea, Cleator-yea, McColl-yea,  
Jones-  
yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea,  
Mayor-  
vacant.

ITEM-UC-1: (R-83-1714) ADOPTED AS RESOLUTION R-258396

A Resolution presented to the City Council with UNANIMOUS  
CONSENT:

Excusing Council Member Gotch from the May 2, 1983, Rules  
Committee meeting for the purpose of attending a meeting of the  
Local Agency Formation Commission (LAFCO).

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B083-090).

MOTION BY GOTCH TO ADOPT. Second by Mitchell. Passed by the  
following vote: Mitchell-yea, Cleator-yea, McColl-yea,  
Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea,  
Mayor-vacant.

ADJOURNMENT:

By common consent, the meeting was adjourned by Deputy Mayor  
Cleator at 3:03 p.m. into Closed Session in the twelfth floor  
conference room regarding pending litigation and meet and  
confer matters.

FILE LOCATION:

MINUTES

COUNCIL ACTION: (Tape location: B091).